

Message Text

SECRET

PAGE 01 NICOSI 00684 01 OF 03 111203Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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R 111145Z MAR 77
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 5470

S E C R E T SECTION 1 OF 3 NICOSIA 0684

EXDIS

E.O. 11652: XGDS-2
TAGS: PFOR, SY, CY, US
SUBJECT: DAVIES CASE

SUMMARY. SECTION FIVE OF EIGHT OF OUR REVIEW OF THE CYPOL COVERING REPORT ON THE DAVIES INVESTIGATION PRESENTS THE STATEMENTS OF THE REMAINING 12 PROSECUTION WITNESSES AGAINST KTIMATIAS. NINE IDENTIFIED KTIMATIAS AS AT THE SCENE, SEVEN SAW THAT HE WAS ARMED, THREE HIM FIRING AND ONE SAW HIM ENTER THE BUILDING UNDER CONSTRUCTION. THE EVIDENCE OF STELIOS STYLIANOU (AKA SOTIRIOU), WHICH IS CRITICAL TO SUSTAIN THE THREE HOMICIDE CHARGES, IS SET FORTH. END SUMMARY.

BEGIN SECTION FIVE:

EVIDENCE AGAINST KTIMATIAS (CONTINUED)

WITNESS NO. 8 - ACT. POL. SGT. STELIOS STYLIANOU (FIRE BRIGADE)
IN SIGNED STATEMENT HE HSAID THAT AT 12:25 HOURS ON AUG. 19, 1974 HE WAS SENT TO THE EMBASSY FOR FIRE-FIGHTING PURPOSES. HE DROVE A FIRE BRIGADE VEHICLE, PARKED IT NEAR THE BUILDING UNDER CONSTRUCTION, AND REMAINED WITH THE VEHICLE. HE SAW THE STONING, THE EMBASSY VEHICLES BURNING AND THE TEAR GAS GRENADES BEING THROWN FROM THE EMBASSY, WHICH BEGAN TO DISPERSE THE CROWD.

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PAGE 02 NICOSI 00684 01 OF 03 111203Z

HE SAW KTIMATIAS IN UNIFORM, WITH AN AUTOMATIC WEAPON OF KALASHNIKOV OR CZECH-TYPE, A MAGAZINE ATTACHED, AND A SECOND MACHINE IN HIS POCKET.

HE SAW LEFTIS, WEARING GREEN MILITARY TROUSERS AND A NATIONAL GUARD JACKET, STANDING IN AN OPEN BUILDING SITE ON THE LEFT SIDE OF DOSITHEOS STREET ALSO WITH A KALASHNIKOV OR CZECH-TYPE AUTOMATIC WEAPON.

HE SAW LOIZOU SAVVA ARRIVE IN A POLICE LAND ROVER AND STOP 30-40 METERS FROM LEFTIS. SAVVA, WHO WAS IN GREEN MILITARY CLOTHING WITH A POLICE CAP, WAS CARRYING ON HIS SHOULDERS TWO AUTOMATIC WEAPONS, KALASHNIKOV OR CZECH-TYPE, BUT LEFT BOTH IN THE LAND ROVER. THERE WAS ANOTHER PERSON IN THE LAND ROVER THAT WITNESS NO. 8 DID NOT KNOW. SAVVA WALKED TOWARDS THE BUILDING UNDER CONSTRUCTION CARRYING ONLY A REVOLVER IN A CASE AT HIS WAIST.

SHORTLY THEREAFTER WITNESS NO. 8 SAW KTIMATIAS AND LEFTIS APPROACH THE FIRE BRIGADE VEHICLE. THEY WASHED THEIR FACES TO GET RID OF THE TEAR GAS, THEN PROCEEDED TO THE BUILDING UNDER CONSTRUCTION.

HE SAW KTIMATIAS, LEFTIS AND SAVVA ENTER THE BUILDING UNDER CONSTRUCTION THROUGH THE EASTERN MAIN ENTRANCE. SOME RIOTERS HAD TAKEN REFUGE INSIDE THE BUILDING, AT THE EASTERN PART, BECAUSE OF THE TEAR GAS.

AT THIS MOMENT HE HEARD CONTINUOUS FIRING OF AUTOMATIC WEAPONS AND DETERMINED THE SHOTS WERE COMING FROM THE BUILDING UNDER CONSTRUCTION, AIMED AT THE EMBASSY. FIRING STOPPED THREE TO FOUR MINUTES LATER. IN THE MEANTIME HE SAW KTIMATIAS AND LEFTIS STANDING AT THE INNER SIDE OF THE SIXTH-FLOOR WINDOW OF THE STAIRWELL. THEY WERE LOOKING TOWARDS THE EMBASSY. HE COULD NOT SEE WHETHER THEY HAD WEAPONS WITH THEM.

SUBSEQUENTLY, WITNESS NO. 8 SAW KTIMATIAS, LEFTIS AND SAVVA COMING OUT OF THE BUILDING AND RUNNING AWAY. KTIMATIAS WENT TOWARDS ARCH. MAKARIOS III AVENUE. LEFTIS WENT IN A WESTWARD DIRECTION THROUGH THE OPEN BUILDING SITE. SAVVA RETURNED TO WHERE HE HAD LEFT HIS

SECRET

SECRET

PAGE 03 NICOSI 00684 01 OF 03 111203Z

LAND ROVER.

WITNESS NO. 9 - ACT. POL. SGT. LOUKAS PANAYIOTOU

IN HIS SIGNED STATEMENT HE SAID HE WAS AT THE SCENE AS A BODYGUARD FOR CIEF OF POLICE M. PANTELIDES HE SAW KTIMATIAS, WHO WAS IN UNIFORM AND HAD AN AUTOMATIC WEAPON, AND SAID "TAKE CARE NOT TO DO ANY SILL ACTION." KTIMATIAS GAVE NO REPLY, APPEARING TO BE CONFUSED AND ANXIOUS.

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PAGE 01 NICOSI 00684 02 OF 03 111238Z
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TO SECSTATE WASHDC 5471

S E C R E T SECTION 2 OF 3 NICOSIA 0684

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WITNESS NO. 10 - POLICE INSPECTOR GEORGHIOS CHRISTODOULOU
(FIRE BRIGADE)

IN HIS SIGNED STATEMENT HE SAID THAT AT 12:26 ON
AUG. 19, 1974 HE WAS SUMMONED TO THE EMBASSY FOR FIRE
FIGHTING. HE SAW KTIMATIAS, WHO WAS KNOWN TO HIM, IN
MILITARY CLOTHES WITH AN ARMY CAP. HE DOES NOT REMEMBER
WHETHER KTIMATIAS WAS ARMED. HE SAW CARS BURNING,
HEARD SHOTS, AND SAW TEAR GAS GRENADES THROWN FROM THE
EMBASSY. THE FIREFIGHTING STOPPED FOR 15 TO 20 MINUTES
BECAUSE OF THE SHOTS AND EXPLOSIONS. HE DID NOT SEE
ANY OTHER ACCUSED PERSON. HE ENTERED THE EMBASSY, WENT
TO THE SECOND FLOOR, SAW MISS VARNAVA'S BODY, THEN SAW
HER BODY REMOVED BY A FIRE BRIGADE AMBULANCE TO THE MORGUE.

WITNESS NO. 11 - VASSOS MAVRAKIS, GOC AGRICULTURE DEPT.

IN HIS SIGNED STATEMENT HE SAID HE HAD TAKEN PART
IN THE ANTI-AMERICAN DEMONSTRATION. AT 11:45-12:00
HOURS HE LEFT THE DEMONSTRATION AND WALKED TOWARDS THE
HILTON HOTEL. HE MET KTIMATIAS APPROACHING THE EMBASSY,
IN MILITARY UNIFORM, WEARING SUN GLASSES, AND ARMED WITH
A KALASHNIKOV OR CZECH-TYPE AUTOMATIC WEAPON.

WITNESS NO. 12 - CHRISTOFOROS LAMBRIANIDES, OF STROVOLOS

IN HIS SIGNED STATEMENT HE SAID HE HAD TAKEN PART
IN THE ANTI-AMERICAN DEMONSTRATION. AT ABOUT 12:00 HOURS
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PAGE 02 NICOSI 00684 02 OF 03 111238Z

EMBASSY PERSONNEL STARTED THROWING TEAR GAS GRENADES.
HE HEARD SHOTS FROM DIFFERENT PLACES DIRECTED TOWARDS
THE EMBASSY. HE RAN TO THE BUILDING UNDER CONSTRUCTION.
AT THE EASTERN CORNER OF THE BUILDING HE SAW KTIMATIAS
BEHIND THE SCAFFOLD FIRING CONTINUOUSLY WITH AN AUTO-
MATIC WEAPON AGAINST THE SOUTHERN PART OF THE EMBASSY.

HE SAW ACT. INSPECTOR AVGOUTIS EFSTATHIOU
(WITNESS NO. 20) GRABBING KTIMATIAS' RIGHT HAND AND
TELLING KTIMATIAS, TO STOP FIRING. ANOTHER POLICE OFFICER

APPROACHED KTIMATIAS, WHO KEPT ON FIRING. WHEN THE MAGAZINE WAS EMPTY KTIMATIAS DISAPPEARED THROUGH THE OPEN BUILDING SITE. WITNESS NO. 12 ALSO SAW TWO OTHER MEN, IN RED BERETS AND MILITARY CLOTHING, FIRING AT THE EMBASSY. AT ABOUT 12:45, AFTER THE FIRING CEASED, AS HE WAS LEAVING THE SCENE, HE SAW LEFTIS WALKING TOWARDS ARCH. MAKARIOS III AVENUE FROM THE EMBASSY. HE COULD NOT SEE WHETHER LEFTIS WAS ARMED. HE SAW NO OTHER ACCUSED.

WITNESS NO. 13 - POLICE SUPT. ANDREAS RIGHAS

IN HIS SIGNED STATEMENT HE SAID HE WAS THE NICOSIA DIVISION POLICE COMMANDER ON AUG. 19, 1974. AT ABOUT 12:30-13:00 HOURS HE WENT TO THE EMBASSY ON THE INSTRUCTIONS OF CHIEF OF POLICE M. PANTELIDES. WITH THE HELP OF BRIG. GEN. AZINAS HE MADE THE RIOTERS WITHDRAW TO ARCH. MAKARIOS AVENUE. WHILE IN FRONT OF THE EMBASSY HE WAS TOLD BY MR. MARK MULVEY THAT THE AMBASSADOR AND MISS VARNAVA HAD BEEN FATALLY WOUNDED. HE SAW KTIMATIAS AT THE SCENE. HE DOES NOT REMEMBER WHETHER KTIMATIAS WAS ARMED. HE DID NOT SEE LEFTIS OR SAVVA.

WITNESS NO. 14 - POLICE INSPECTOR ANDREAS ZAVROS

IN HIS SIGNED STATEMENT HE SAID HE RAN THE MOTOR POOL AT POLICE HEADQUARTERS. ON AUG. 19, 1974 KTIMATIAS WAS THERE AROUND NOON DRIVING A CYPOL BLUE MAZDA VEHICLE. KTIMATIAS SAID HE WAS WAITING FOR GREEK ARMY MAJOR

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PAGE 03 NICOSI 00684 02 OF 03 111238Z

MICHAEL. THEY HEARD SHOTS FROM THE DIRECTION OF THE EMBASSY AND SAW SMOKE. KTIMATIAS WAS CARRYING A SERVICE REVOLVER IN ITS CASE AT HIS WAIST. HE DOES NOT REMEMBER IF KTIMATIAS HAD AN AUTOMATIC WEAPON. THEY TALKED FOR TWO OR THREE MINUTES.

WITNESS NO. 15 - SOFOCLIS CHR. POUGOURAS, OF STROVOLOS

IN HIS SIGNED STATEMENT HE SAID HE WAS AT THE AU. 19, 1974 DEMONSTRATION. HE SAW STONE-THROWING, CAR-BURNING, AND HEARD AUTOMATIC WEAPONS FIRE AGAINST THE EMBASSY. HE SAW A PERSON UNKNOWN TO HIM LYING ON THE GROUND FIRING AN AUTOMATIC WEAPON WITH A SUPPORT. HE WAS TOLD BY BYSTANDERS THE PERSON WAS KTIMATIAS, A BODYGUARD OF NICOS SAMPSON. HE DID NOT SEE ANY OTHER GUNMEN.

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PAGE 01 NICOSI 00684 03 OF 03 111244Z
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S E C R E T SECTION 3 OF 3 NICOSIA 0684

EXDIS

WITNESS NO. 16 - NICOS SYMEONIDES OF NICOSIA

IN HIS SIGNED STATEMENT HE SAID HE WAS AT THE
EMBASSY ON AUG. 19, 1974 WITH THEOFILOS THEOFILOU.
HE SAW A CAR STOPPING ON MAKARIOS III AVE. AND A PERSON
UNKNOWN TO HIM GOT OUT. THIS PERSON WAS DRESSED IN
K.D. MILITARY CLOTHES AND AN OFFICER'S CAP. THIS
PERSON OPENED THE TRUNK OF HIS CAR AND TOOK OUT AN
AUTOMATIC WEAPON AND AMMUNITION MAGAZINES. THE
WEAPON WAS NOT A BREN OR A STEN. HE HEARD THIS PERSON
SAY "TOUS POUSTIDES" (TR: "THE SODOMITES"). HE CANNOT
IDENTIFY THE MAN. SHORTLY AFTER THIS INCIDENT HE HEARD SHOTS.

WITNESS NO. 17 - THEOFILOS THOFILOU, OF NICOSIA

IN HIS SIGNED STATEMENT HE CORROBORATED WITNESS
NO. 16. HE SAID THE CAR WAS A BLUE MAZDA. HE SAW THE
UNKNOWN GUNMAN PROCEED TO THE BUILDING UNDER CONSTRUCTION. HE DID NOT SEE HIM FIRING.

WITNESS NO. 18 - POLICE INSPECTOR ANDREAS CHRISTOFIDES,
OF THE CYPOL FORENSIC SCIENCE LABORATORY

IN HIS SIGNED STATEMENT HE SAID HE EXAMINED THE
EXHIBITS AS WELL AS THE SCENE OF THE CRIME, AS DESCRIBED
IN PARA 11 OF FACTS, ABOVE. DURING MAY 1976 HE
SAW AND FOLLOWED CAREFULLY A FILM ABOUT THE ANTI-AMERICAN
DEMONSTRATION AT THE AMERICAN EMBASSY ON AUG. 19, 1974

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PAGE 02 NICOSI 00684 03 OF 03 111244Z

HE IDENTIFIED KTIMATIAS AS ARMED WITH A KALASHNIKOV
AUTOMATIC WEAPON WITH A FOLDING STOCK.

WITNESS NO. 19 - INSPECTOR ANTONIS PETRIDES, OF CID,
POLICE HQS.

IN HIS SIGNED STATEMENT HE SAID HE HAD SEARCHED

KTIMATIAS' HOUSE, IN THE LATTER'S PRESENCE, ON JUNE 27, 1976. HE FOUND EXHIBITS (A) THROUGH (L) IN PARA 18 OF FACTS, ABOVE. ON THE SAME DAY HE OBTAINED A SIGNED STATEMENT FROM KTIMATIAS. END SECTION FIVE

1. EMBASSY ANALYSIS AND COMMENT: CYPOL HAS A STRONG CASE AGAINST KTIMATIAS. THE EVIDENCE GIVEN BY STELIOS STYLIANOU (SOTIRIOU) IS DETAILED AND CONVINCING. FURTHERMORE, IT IS ESSENTIALLY CORROBORATED BY OTHER WITNESSES. STYLIANOU/SOTIRIOU'S STATEMENT DIFFERS FROM INFORMATION HE HAD PREVIOUSLY FURNISHED PHERSON IN TWO SIGNIFICANT RESPECTS: (1) AFTER HE PLACES KTIMATIAS, LEFTIS AND SAVVA IN THE BUILDING UNDER CONSTRUCTION AND HEAVILY ARMED, HE ADDS THAT A NUMBER OF RIOTERS HAD TAKEN REFUGE IN THAT BUILDING AT THE SAME TIME. (HE HAD NEVER MENTIONED THIS TO PHERSON.) IF THIS FACT SURFACES AT THE TRIAL IT WILL BE DAMAGING TO THE PROSECUTION. (2) STYLIANOU/SOTIRIOU PLACES KTIMATIAS AND LEFTIS AT THE SIXTH-FLOOR WINDOW OF THE BUILDING UNDER CONSTRUCTION. HE HAS CONSISTENTLY TOLD PHERSON HE HAD AMENDED HIS CYPOL STATEMENT TO SAY HE SAW THEM ON THE THIRD FLOOR OR BELOW. CYPOL IS FIRM ABOUT NOT TAKING ANOTHER STATEMENT FROM STYLIANOU, ON THE GROUNDS THAT IT WOULD ONLY SERVE TO UNDERMINE HIS CREDIBILITY.

2. THE TESTIMONY OF CHR. LAMBRIANIDES, A HARD-CORE AKEL ACTIVIST, CAN BE SEEN AS A TRADE-OFF. PHERSON DEVELOPED AND FURNISHED CYPOL A STRONG CASE AGAINST LAMBRIANIDES FOR CAUSING MALICIOUS DAMAGES (BURNING EMBASSY VEHICLES) AND RIOTING. LAMBRIANIDES COUNTERED, HOWEVER, BY FUR-
SECRET

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PAGE 03 NICOSI 00684 03 OF 03 111244Z

NISHING CYPOL STRONG EVIDENCE AGAINST KTIMATIAS AND CORROBORATING EVIDENCE AGAINST LEFTIS. AS A RESULT, HE WILL BE A PROSECUTION WITNESS AND NO CHARGES WILL BE BROUGHT AGAINST HIM. END ANALYSIS AND COMMENT.

3. SECTION SIX, TO FOLLOW, WILL SYNOPSISIZE AND ASSESS THE EVIDENCE AGAINST LEFTIS AND LOIZOU SAVVA.
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